

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TONY B. GASKINS, PRO SE,	)	
Plaintiff	)	No. 05-10858-GAO
	)	
VS.	)	
	)	
UMASS CORRECTIONAL HEALTH	)	
SERVICES, ET AL.,	)	
Defendants	)	

**DEFENDANTS, STANLEY GALAS AND CARL SINGLETARY'S MOTION TO STAY  
ALL FURTHER PROCEEDINGS PENDING THE OUTCOME OF DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT**

The defendants, Stanley Galas and Carl Singletary, by counsel, move this Honorable Court, pursuant to Fed. R. Civ. P 26, to stay plaintiff's discovery request. As grounds for this Motion, the defendants state the following:

1. This is a claim by a *pro se* inmate charging violations of his civil rights in the health care and treatment rendered to the plaintiff.
2. On or around September 29, 2005, the plaintiff prepared his First Set of Request for Documents.
3. On October 28, 2005, the defendants filed a Motion for Summary Judgment as to all claims.
4. The defendants maintain discovery would be premature until after this Honorable Court has had an opportunity to review the parties Summary Judgment Motions. Furthermore, pursuant to Fed. R. Civ. P. 26(a)(1)(E), the plaintiff's action is exempt from initial disclosure rules as this action was brought without counsel by a person in custody of Massachusetts. Due to the plaintiff's situation as a *pro se* inmate, communication over a discovery schedule and plan are

difficult. Nor do the defendants believe the plaintiff is prejudiced by waiting until after the Motions are heard to determine what, if any, discovery is needed.

WHEREFORE, defendants request that this Honorable Court stay all further proceedings, including discovery, pending the ruling on defendants' Motion for Summary Judgment.

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each (other) party by mail (by hand) on the 31<sup>th</sup> day of **October**, 2005.

/S/ Boaz N. Levin

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James A. Bello / Boaz N. Levin

Respectfully Submitted,  
The Defendants,  
STANLEY GALAS AND  
CARL SINGLETARY, M.D.  
By their attorneys,

/S/ Boaz N. Levin

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